

**PLAINTIFF'S MOTION  
EXHIBIT 20**

Page 14

1 DOMINICK VALENTI  
2 could be a whole of things. So it may even  
3 have started as a sick leave abuse and then  
4 you found additional misconduct.

5 Q. So if somebody sort falsifies a  
6 sick report, and ends up playing golf or not  
7 being sick at all or not being where they're  
8 supposed to be, that would not constitute an  
9 absence without leave in terms of charges or  
10 disciplinary charges?

11 A. It's really dependant on the  
12 advocate, the attorneys in the department  
13 advocate's office. How they want to write  
14 up a specific charge. I may request five  
15 different charges. They would have to then  
16 figure out if there's enough to support each  
17 of those charges. Then they would look at  
18 the case law and figure out what they wanted  
19 to charge specifically.

20 Q. With regard to sick leave,  
21 specifically, how does a uniformed member of  
22 the service go sick?

23 A. Well, you're going to call your  
24 place of employment, your command, let's  
25 say, the guides states that it should be

Page 15

1                   DOMINICK VALENTI  
2       done two hours before the start of your tour  
3       of duty and then in addition at the tail end  
4       of 2010 it changed to where you'd also have  
5       to call the sick desk and also report that  
6       you had reported sick.

7                   Q.       But in 2009, specifically --

8                   A.       Right.

9                   Q.       What --

10                  A.       2009, you would just call your  
11       command, speak to your supervisor and say I  
12       am reporting sick and then the command would  
13       be responsible to call the medical division.

14                  Q.       So the member going sick would  
15       not be required to call the sick desk?

16                  A.       Not at that time, not in 2009.

17       Their only obligation was to call the  
18       command.

19                  Q.       And what is the response of the  
20       command; does the command have like an  
21       opportunity to say no, deny sick even though  
22       somebody says I'm sick, I don't feel well;  
23       or is it almost automatic, where they say  
24       okay, then they fill out paperwork?

25                  MR. KRETZ: Objection. You can

Page 16

1 DOMINICK VALENTI

2 answer.

3 A. You can't deny someone to go  
4 sick. The desk officer has the ability to  
5 decide whether or not you would be granted  
6 administrative sick or regular sick.  
7 Administrative sick is a one-day sick event,  
8 and you're not required to see a doctor, you  
9 don't have to provide any records. And  
10 regular sick you're required to see our  
11 police department surgeon. The desk officer  
12 has the ability to make a determination  
13 which one of those you would be granted.

14 Q. Administrative sick versus  
15 regular sick?

16 A. Correct. You could have line of  
17 duty sick, but that would be a workplace  
18 accident. You would already be at work for  
19 that. Then the administrative sick, you  
20 could call in for day two. So you could  
21 actually get two days out sick, day one  
22 administrative, day two administrative and  
23 that doesn't require a doctor's visit,  
24 doesn't require any medical documentation.

25 Q. What is the -- so if the member